

DISTRICT COURT OF UNITED STATES OF AMERICA

Eastern District of Pennsylvania

United States,

Plaintiff,

vs.

Keith M. Thompson,

Defendant

Criminal Number 11-CR-000-36-1

**MOTION FILED REQUEST FOR EMERGENCY ORAL
HEARING OR IMMEDIATE RELEASE PURSUANT TO
18.U.S.C. §3582(C)(1)(A)**

BRIEF OF AMICUS CURIAE

KeAnna McDowell
35 N. Mulberry St. Apt 2
Lancaster, PA 17603
keanna.mcdowell@gmail.com

DISTRICT COURT OF UNITED STATES OF AMERICA

Eastern District of Pennsylvania

United States,

Plaintiff,

vs.

Keith M. Thompson,

Defendant

Criminal Number 11-CR-000-36-1

**MOTION FILED REQUEST FOR EMERGENCY ORAL
HEARING OR IMMEDIATE RELEASE PURSUANT TO
18.U.S.C. §3582(C)(1)(A)**

INTRODUCTION

Amicus Curiae KeAnna McDowell respectfully submits the following brief asking that this court grant an emergency oral hearing or immediate release of Petitioner Keith M. Thompson on the grounds of Compassionate Release pursuant to **18.U.S.C. §3582(C)(1)(A)**

STATEMENT OF FACTS

Since Petitioner first filed his motion for Compassionate Release on July 28th, 2020. The situation at FCI Loretto has drastically deteriorated. As of December 7th, 2020, there are 307 inmates and 20 staff positive with Covid-19. The Petitioner himself is among one of the inmates who has tested positive for Covid-19.

ARGUMENT

SINCE NOV. 22ND, 2020, WHEN THERE WERE 2 STAFF POSITIVES CASES, THIS OUT BREAK AT FCI-LORETTO HAS EXPLODED TO MORE THEN 307 INMATES AND 20 STAFF AS OF MONDAY DEC 7TH, 2020.

OUT OF 811 INMATES IN THE LOW THAT IS A 37% POSITIVITY RATE, WAY PAST THE RATE IN SOCIETY. THE ADMINISTRATION EFFORTS IN THE LAST 2 WEEKS HAVE BEEN COUNTER

BRIEF OF AMICUS CURIAE [2](#)

INTUITIVE AND ACTUALLY LEADING TO WIDESPREAD CONTRACTION IN THE INSTITUTION. THESE FACTS SPEAK AGAINST THE POSITION THAT THE GOVERNMENT HAD IN ITS REPLY SAYING THAT FCI-LORETTO HAD THE CORONAVIRUS PANDEMIC UNDER CONTROL, ACTUALLY POINTING TO ITS FALSE SENSE OF SECURITY WHICH HAS LEAD TO THE SITUATION THAT IT IS TODAY.

THE INMATE CONTRACTED COVID-19 AROUND WED-THURS DEC. 2ND OR 3RD, 2020.....SINCE THEN , HE HAS BEEN LAID IN THE BED FOR MORE THEN 12-16 HOURS A DAY, WITH BODY ACHES AS IF HE " FOUGHT A 12 ROUND FIGHT", HOT SPELLS, FEVERS ,COLD CHILLS AND A LACK OF BREATH.....TO THE POINT WHERE HE CALLED ME FOR 2 MINUTES THE OTHER DAY HE COULD HARDLY FINISH A SENTENCE WITHOUT COUGHING. HE HAS RELAYED TO ME THAT WHEN HE LAYS DOWN, HE HAS TO COUGH FOR 10-15 MINUTES JUST TO CLEAR HIS PASSWAY TO BREATH ENOUGH TO LAY DOWN.

THE ADMINISTRATION WHICH HAD PUT THE PETITIONER IN FOR HOME CONFINEMENT BACK IN JULY 16TH, 2020 (HE IS STILL UNDER CONSIDERATION), HAS FAILED HIM, WE ASK THE COURT TO STEP IN AND RIGHT THEIR WRONG.

WE ASK THE COURT TO LOOK AT RECENT DECISION IN THE 4TH CIRCUIT, UNITED STATES V. MCOY CASE NO. 20-6281, 2020 U.S. APP. LEXIS 37661 (4TH CIR. DEC. 2ND, 2020), (AS THE 4TH CIRCUIT HAS FOLLOWED WITH DECISIONS IN THE 2ND(UNITED STATES V, BROOKER), 6TH(UNITED STATES V. JONES) AND THE 7TH(UNITED STATES V. GUNN) AND TO A RECENT DECISION LAST WEEK IN THE SDNY

UNITED STATES. MARTINEZ, (04 CR. 48-20 (JSR)) INVOLVING A SIMILARLY SITUATED INMATE ON THE SAME DORM(CENTRAL TWO) AS PETITIONER, WHEN JUDGE (JED S. RAKOFF) WHO HAD BEEN CONSIDERING MARTINEZ'S CASE, FOUND OUT THAT MARTINEZ HAD CONTRACTED COVID -19, THE COURT MOVED TO RELEASE MARTINEZ THAT DAY.

WE AS A FRIEND OF THE COURT AND FAMILY OF THE INMATE ASK THE COURT TO CONSIDER THE SAME, MR THOMPSON SIGNED UP FOR A SENTENCE NOT A DEATH SENTENCE OR SEVERE ILLNESS AND INJURY.

RESPECTFULLY SUBMITTED,

KEANNA MCDOWELL

KeAnna McDowell
35 N. Mulberry St Apt 2
Lancaster, PA 17603
keanna.mcdowell@gmail.com

FCI Loretto Staff
F-team counselor: Scicko
Case Manager: Spielvogel

Email: LOR-ExecAssistant@bop.gov
Phone: 814-472-4140
Fax: 814-471-1507

CITATIONS

United States v. Brooker No. 19-3218-CR

United States v. McCoy, Case No 20-6821, 2020 U.S. App. LEXIS 37661 (4th Cir., Dec. 2, 2020)

United States v. Jones, Case No 20-3701, 2020 US App. LEXIS 36620 (6th Cir. November 20, 2020)

United States v. Gunn, Case No 20-1959, 2020 US App. LEXIS 36612 (7th Cir. November 20, 2020)

<http://www.lisa-legalinfo.com/>